

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail, postage prepaid, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450, on the date shown below.

Dated: November 4, 2003

Signature: Paul B. Stephens

Paul B. Stephens

Docket No.: 30203/37263
(PATENT)

17/IDS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
FRICK et al.

Application No.: 09/905,736

Group Art Unit: 2873

Filed: July 13, 2001

Examiner: M. Abutatyeh

For: Optical Switch with Moveable Holographic Optical Element

THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, the attention of the Patent and Trademark Office is hereby directed to the International Preliminary Examination Report for the counterpart PCT application. A copy of the document is enclosed.

This statement and PTO-1449 form are submitted before the mailing of a first Office Action after RCE in the above-identified patent application. Accordingly, it is submitted that no fee is due in this matter under 37 C.F.R. §1.97(c). The Commissioner is hereby authorized to charge any fees which may be required to Deposit Account No. 13-2855. A duplicate of this paper is enclosed.

Dated: November 4, 2003

Respectfully submitted,

By Paul B. Stephens

Paul B. Stephens

Registration No.: 47,970

MARSHALL, GERSTEIN & BORUN

233 S. Wacker Drive

6300 Sears Tower

Chicago, Illinois 60606-6357

(312) 474-6300

Attorneys for Applicant